



# 2010 COPS Methamphetamine Initiative Grant Owner's Manual

U.S. Department of Justice  
Office of Community Oriented Policing Services  
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This manual was created to assist COPS Methamphetamine Initiative grantees with the administrative and financial matters associated with the grant.

For more information about your Methamphetamine Initiative grant, please contact your COPS Grant Program Specialist. If you do not know the name or telephone number of your Grant Program Specialist, please contact the COPS Office Response Center at 800.421.6770.



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The background of the slide is a repeating pattern of stylized, five-pointed stars. Each star is composed of several triangular segments in different shades of gray, creating a 3D effect. The stars are arranged in a grid-like pattern, with some stars appearing slightly larger or more prominent than others, particularly on the left side of the slide.

# Getting Started





# **I. Grant Acceptance, Terms, and Conditions**









## **Review of Grant Conditions**

By signing the Award Document to accept this Methamphetamine Initiative grant, your agency agrees to abide by the following grant conditions:

### **1. Grant Owner's Manual**

*The grantee agrees to comply with the terms and conditions in this 2010 COPS Methamphetamine Initiative Grant Owner's Manual; COPS statute (42 U.S.C. §. 3796dd, et seq.); 28 C.F.R. Part 66 or 28 C.F.R. Part 70 as applicable (governing administrative requirements for grants and cooperative agreements); 2 C.F.R. Part 225 (OMB Circular A-87), 2 C.F.R. Part 220 (OMB Circular A-21), 2 C.F.R. Part 230 (OMB Circular A-122) and 48 C.F.R. Part 31.000 et seq. (FAR 31.2) as applicable (governing cost principles); OMB Circular A-133 (governing audits); representations made in the COPS Methamphetamine Initiative grant application; and all other applicable program requirements, laws, orders, regulations, or circulars.*

#### **Why This Condition:**

This manual has been designed to inform you of the requirements, laws, regulations, and policies that apply to your grant. Your agency will be responsible for the information and rules contained in this manual and for implementing your grant in compliance with the applicable terms, conditions, and regulations. More detailed guidance regarding any particular grant requirement or your agency's specific circumstances can be requested through your COPS Grant Program Specialist.

#### **What You Should Do:**

Please read the entire Methamphetamine Initiative Grant Owner's Manual carefully prior to signing the grant Award Document. If you have any questions, please contact your COPS Grant Program Specialist. When accepting your grant award, you should ensure that the proper reporting and financial systems are in place to satisfy the grant requirements.

### **2. Assurances and Certifications**

*The grantee acknowledges its agreement to comply with the Assurances and Certifications forms that were signed as part of its Methamphetamine Initiative application.*

#### **Why This Condition:**

Although the COPS Office has made every effort to simplify the process of applying for and receiving grants, several provisions of federal law require us to seek your assurances and certification regarding certain matters. Most of the assurances and certifications apply to all federal grant programs.

#### **What You Should Do:**

Applicants to COPS grant programs are required to sign the Assurances and Certifications forms at the time of application. Signing these documents assures the COPS Office that you have read, understand, and accept the grant terms and conditions outlined in the Assurances and Certifications. Your agency is required to keep the Assurances and Certifications forms containing the original signatures



of the law enforcement executive and government executive named on the COPS Application Attachment to the SF-424. The original signed forms must be furnished upon request. Please read these documents carefully as signatures on these documents are treated as a material representation of fact upon which reliance will be placed when the U.S. Department of Justice determines whether to award the covered grant. Additional copies of the Assurances and Certifications forms are contained in Appendix B of this manual. If you have any questions about them, please contact your COPS Grant Program Specialist at 800.421.6770.

### 3. Allowable Costs

*The funding under this project is for the payment of approved costs for activities related to the establishment and enhancement of a variety of problem-solving strategies to combat the use and distribution of methamphetamine and to address other methamphetamine problems in your jurisdiction. The allowable costs for which your agency's grant has been approved are limited to those listed on the Financial Clearance Memorandum, which is included in your agency's award package.*

*The Financial Clearance Memorandum specifies the costs that your agency is allowed to fund with your Methamphetamine Initiative grant. It also describes any costs which have been disallowed after review of your proposed budget. **Your agency may not use Methamphetamine Initiative grant funds for any costs that are not identified as allowable in the Financial Clearance Memorandum.***

#### **Why This Condition:**

The funding under this project is for the purchase of items and services approved by the COPS Office as reflected in the Financial Clearance Memorandum. The 2010 COPS Methamphetamine Initiative funds the purchase of equipment, services, and other items that will allow recipients the opportunity to establish and enhance a variety of projects to encourage the continuation and advancement of community policing efforts within their jurisdictions to combat the use and distribution of methamphetamine.

To be eligible for payment under this grant, the purchase of approved items must be made after the grant award start date and comply with the guidelines described in Section III, "Accessing Grant Funds," of this manual. Section IV, "Financial Record Maintenance," outlines the types of records you must keep to document that you followed this grant condition. Purchases must also reflect the costs that were approved as shown in the Financial Clearance Memorandum.

#### **What You Should Do:**

Refer to your Financial Clearance Memorandum for the list of approved allowable costs. Listed below are the budget categories that may appear on your Financial Clearance Memorandum. As long as funds are spent during the grant period on the equipment and technology, supplies, travel, contracts/consultants, salaries and benefits, and other costs that were documented in your application's budget summary and were approved through the issuance of the Financial Clearance Memorandum, this grant condition will be satisfied.



### **Personnel (Salaries and Benefits)**

Personnel must be hired on or after the grant award start date, and specifically for the Methamphetamine Initiative project. In addition, a position's salary must be reasonable for the services rendered, and must be paid to a person appointed under the law or rules governing hiring by your agency. Salary payments must be based on payroll records. Time and attendance records or the equivalent must support payroll records. Grant-funded salary and benefit costs must supplement, not supplant (replace), locally-funded personnel costs that would have been funded even in the absence of this grant. If any civilian personnel are employed on a part-time or temporary basis, then the agency must have specified the percentage of time that each person is working solely on the project identified in the agency's Methamphetamine Initiative proposal.

Fringe benefits may be paid if they are part of a reasonable compensation package offered to your employees. Particular items of fringe benefits must fall within the categories authorized by the COPS Office. Authorized fringe benefits include FICA, Social Security, health insurance, life insurance, vacation, sick leave, retirement, worker's compensation, and unemployment insurance.

### **Equipment/Technology**

To be eligible for payment under this grant, the purchase of equipment and technology must occur on or after the award start date, the items must be those specifically applied for and approved by the COPS Office, and they must meet the guidelines described in 28 C.F.R. 66 or 28 C.F.R. 70, as applicable. Equipment or technology purchased on or after the award start date must be in addition to purchases that the grantee is obligated or funded to make in its current budget. Funds currently budgeted to purchase equipment or technology may not be reallocated to other purposes or reimbursed upon the award of a Methamphetamine Initiative grant.

### **Supplies**

All supplies must be solely used for the project identified in your project proposal. Reimbursements for office supplies that are consumed by routine administrative purposes instead of project-related activities are prohibited. Items must meet the guidelines described in 28 C.F.R. 66.33 or 28 C.F.R. 70.35, as applicable.

### **Travel/Training**

Travel costs for transportation, lodging, subsistence, and related items are allowable under the Methamphetamine Initiative with prior approval from the COPS Office. For grantees subject to 2 C.F.R. Part 220 (OMB Circular A-21) Cost Principles for Educational Institutions; 2 C.F.R. Part 225 (OMB Circular A-87) Cost Principles for State, Local and Indian Tribal Governments; or 2 C.F.R. Part 230 (OMB Circular A-122) Cost Principles for Non-Profit Organizations, travel costs incurred directly by the grantee or costs incurred for project-related non-grantee travel will be reimbursed based upon the grantee's written institutional travel policy (if available) and if the costs are reasonable and allocable under the project. In the absence of an acceptable and available institutional travel policy, allowable per diem travel costs for lodging, meals and incidentals will be reimbursed based on the established GSA per diem rates for the relevant geographic area. These rates can be found at [www.gsa.gov](http://www.gsa.gov). Allowable airfare travel costs will be reimbursed based upon the lowest discount commercial airfare, the federal government contract airfare, if authorized and available, or standard coach airfare.



For grantees subject to 48 C.F.R. Part 31.000, et seq. (FAR-31.2) Cost Principles for Commercial Organizations, travel costs incurred directly by the grantee will be reimbursed if the costs are reasonable and allocable under the project. Travel costs for lodging, meals and incidental expenses may be reimbursed based upon per diem, actual expenses or a combination of these methods, as long as the reimbursement rate does not exceed established GSA per diem rates as set forth in the Federal Travel Regulation. Transportation costs may be reimbursed based on mileage rates, actual costs incurred, or a combination of these methods. Allowable airfare travel costs will be reimbursed based upon standard coach fare, unless otherwise authorized in advance by the COPS Office.

The COPS Methamphetamine Initiative will fund grant-related travel costs for the grantee agency or other (non-grantee) individuals to attend training and technical assistance conferences, seminars, or classes, or to visit a site specified in the application. Allowable expenses for grant-related lodging, meals and incidental expenses that were included in the application have been approved by the COPS Office as part of the Methamphetamine Initiative award and final budget. Your agency should keep timely and accurate records of all travel expenses. If at any time these costs change, you should immediately contact your COPS Grant Program Specialist to obtain a grant modification.

#### **Contracts/Consultants**

Compensation for individual consultant services procured under a COPS grant must be reasonable and allocable in accordance with OMB cost principles, and consistent with that paid for similar services in the marketplace. Unless otherwise approved by the COPS Office, consultant rates will be based on the salary a consultant receives from his or her primary employer, as applicable, up to \$550 per day. For consultant or contractor rates which exceed \$550 per day, the COPS Office requires written justification if the consultants or contractors are hired through a noncompetitive bidding process, and grantees must receive COPS Office approval of those rates before drawing down grant funds. Determinations will be made on a case-by-case basis.

Fringe benefits may be paid if they are part of a reasonable compensation package offered to your employees. Particular items of fringe benefits must fall within the categories authorized by the COPS Office. Authorized fringe benefits include FICA, Social Security, health insurance, life insurance, vacation, sick leave, retirement, worker's compensation, and unemployment insurance.

#### **Other Costs**

The purchase of project-related expenditures that do not conform to any other category descriptions specified above were included in this section of your Financial Clearance Memorandum. In addition, items that have a direct correlation to the overall success of a grantee's project objectives and are necessary for the project to reach full implementation will be considered on a case-by-case basis by the COPS Office.

Requests may be made only for items or positions that are not otherwise budgeted with state, local, or Bureau of Indian Affairs funds, and would not be funded in the absence of the Methamphetamine Initiative grant.

If at any time you are unsure if an item is considered allowable or not, please contact your COPS Grant Program Specialist for further assistance.

**Please be advised that grantees may not use COPS funding for the same item or service also funded by another Department of Justice award.**



## 4. Travel Costs

*Travel costs for transportation, lodging and subsistence, and related items are allowable under the Methamphetamine Initiative with prior approval from the COPS Office.*

*Payment for allowable travel costs will be in accordance with 2 C.F.R. Part 225 (OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments), 2 C.F.R. Part 220 (OMB Circular A-21, Cost Principles for Educational Institutions), 2 C.F.R. Part 230 (OMB Circular A-122, Cost Principles for Non-Profit Organizations), and 48 C.F.R. Part 31.000, et seq. (FAR-31.2, Cost Principles for Commercial Organizations), as applicable.*

### **Why This Condition:**

The COPS Methamphetamine Initiative will fund grant-related travel costs for the grantee agency or other (non-grantee) individuals to attend training and technical assistance conferences, seminars, or classes, or to visit a site specified in the original application. Allowable expenses for grant-related lodging, meals, and incidental expenses that were included in the application were approved by the COPS Office as part of your agency's Methamphetamine Initiative award and final budget. For more information, please refer to Grant Condition #3, "Allowable Costs."

### **What You Should Do:**

Your agency should refer to your Financial Clearance Memorandum for a list of approved travel costs and use Methamphetamine Initiative funds only for those approved travel costs incurred during the grant period. In addition, your agency should keep timely and accurate records of all travel expenses. If at any time these costs change, you should immediately contact your COPS Grant Program Specialist to obtain a grant modification.

## 5. Supplementing, Not Supplanting

*State, local, and tribal governments must use Methamphetamine Initiative grant funds to supplement, and not supplant, state, local, or Bureau of Indian Affairs (BIA) funds that are already committed or otherwise would have been committed for grant purposes (hiring, training, purchases, and/or activities) during the grant period. In other words, grantees may not use COPS funds to supplant (replace) state, local, or Bureau of Indian Affairs funds that would have been dedicated to the COPS-funded item(s) in the absence of the COPS grant.*

### **Why This Condition:**

The COPS statutory nonsupplanting requirement mandates that grant funds may not be used to replace state or local funds (or, for tribal grantees, Bureau of Indian Affairs funds) that would, in the absence of federal aid, be made available for the grant purposes.

### **What You Should Do:**

Methamphetamine Initiative grantees may not use grant funds to pay for any item or cost funded under the grant (equipment, personnel, training, etc.) if that item or cost was otherwise budgeted with state, local, or Bureau of Indian Affairs funds, or committed to the grantee's budget. In addition, state and local grantees may not reallocate state, local, or BIA funds from one area within the law enforcement budget to another as a result of receiving Methamphetamine Initiative grant funds.



**Personnel – To meet this grant condition, you must ensure that:**

- Each individual employed under the Methamphetamine Initiative grant program is newly hired on or after the grant award start date, unless an exception is authorized in writing by the COPS Office. If current personnel are redeployed into this program, they must be paid with local funds. The COPS grant funds may be used to backfill the resulting vacancy with newly hired personnel for an equivalent amount of time.
- Any officer(s) or civilian(s) that you are hiring not only brings your force to a number over and above the number of funded positions that you had on the date of your Methamphetamine Initiative application (including funded but vacant positions), but over and above the number of locally-funded positions during the grant award period.
- During the life of your grant, you must continue to hire as many new, locally-funded officers or civilians as you would have if you had not received your grant. You may not cancel or postpone spending money in your budget that is committed to hiring other new officers or civilians.
- You must take expeditious and timely steps to fill any vacancies that were created on or after the date of your grant application by retirement, resignation, or other reasons with new officers or civilians other than your Methamphetamine Initiative positions.

Example: If you are redeploying a current employee who would otherwise be paid \$30,000 in salary and benefits during the life of the grant project, your agency must continue to pay this employee with local funds. The COPS grant funds may be used to “backfill” the resulting vacancy with a new hire, even though the COPS-funded position will not be working directly on the Methamphetamine Initiative project.

**Equipment and Technology – To meet this grant condition, you must ensure that:**

- Equipment and technology must be purchased on or after the award start date (unless an exception is authorized in writing by the COPS Office) and must be in addition to purchases that the grantee is obligated or funded to make in the current budget. Funds currently allocated to purchase equipment or technology may not be reallocated to other purposes or reimbursed upon the award of a Methamphetamine Initiative grant. For example, grantees who have budgeted local funds to pay for a new computer system may not reallocate those funds to pay for any other law enforcement cost as a result of receiving Methamphetamine Initiative funds for the same computer system.

**Overtime – To meet this grant condition, you must ensure that:**

- Overtime exceeds expenditures that the grantee is obligated or funded to pay in the current budget. Funds currently allocated to pay for overtime may not be reallocated to other purposes or reimbursed upon the award of a COPS Methamphetamine Initiative grant. Additionally, by the conditions of this grant, you are required to track all overtime funded through the COPS Methamphetamine Initiative.

**Training – To meet this grant condition, you must ensure that:**

- Any training provided by the Methamphetamine Initiative program is in addition to the number of hours of training already provided by your agency. Funds currently allocated for training may not be reallocated to other purposes.





Note: This grant condition applies to all state or locally-funded agencies working in partnership with your agency under this grant. Your agency is responsible for ensuring that any state or locally-funded partnership agencies use COPS funds only to supplement, not supplant, their state or local funding as described in this condition.

## 6. Extensions

*Your agency may request an extension of the grant award period to receive additional time to implement your grant program. Such extensions do not provide additional funding. Only those grantees that can provide a reasonable justification for delays will be granted no-cost extensions. **Extension requests must be received prior to the end date of the award. Any extension requests received after an award has expired will be approved only under very limited circumstances.***

### **Why This Condition:**

Under federal regulations, requests to extend the grant award period require prior written approval from the COPS Office. Without an approved extension, your agency is not permitted to draw down federal funding for costs incurred beyond the official grant award end date. However, if justified, the COPS Office seeks to accommodate reasonable requests for no-cost time extensions to fully implement the COPS grant.

### **What You Should Do:**

The COPS Office will contact your agency during the last quarter of the grant award period to determine whether a no-cost time extension is needed. Requests to extend the grant award period must be received by the COPS Office before the official grant award end date. Failure to submit a request for a no-cost time extension by the end date may result in the immediate deobligation of any remaining grant funds.

## 7. Modifications

*Occasionally, a change in an agency's fiscal or law enforcement situation necessitates a change in its Methamphetamine Initiative award. Grant modifications under the Methamphetamine Initiative are evaluated on a case-by-case basis. All modification requests involving the purchase of new budget items must be approved, in writing, by the COPS Office prior to their implementation. In addition, please be aware that the COPS Office will not approve any modification request that results in an increase of federal funds.*

### **Why This Condition:**

The COPS Office realizes that agencies may need to reprogram grant funds. Acceptable examples of such award modifications include purchasing additional equipment using cost-savings from approved items, or purchasing a different type of equipment due to changing needs. Under federal regulations, you may expend grant funds only as approved in the Financial Clearance Memorandum. Any requests to change or alter grant awards require written approval from the COPS Office prior to their implementation. Without prior written approval, you must continue to implement your grant as it was originally awarded and accepted by your agency. Please be advised that reprogramming requests for unallowable costs will not be approved (e.g., construction, indirect costs, etc.).





### ***What You Should Do:***

If you wish to modify your grant award, you are required to submit your plan in writing to the COPS Office for approval. Grantees must request a modification to the award by submitting a letter on official letterhead that includes:

- ORI number
- Grant number
- Details of the original award
- A description of the proposed changes, including each new item proposed for purchase, its purpose, and how it relates to the overall project
- Revised budget worksheets that reflect all changes.

Please contact your COPS Grant Program Specialist for Modified Budget Detail Worksheets and further direction on any additional requirements that may apply to your modification request. The COPS Office will then evaluate your request and notify your agency, in writing, of our decision.

## **8. Evaluations**

*The COPS Office may conduct monitoring or sponsor national evaluations of the COPS Methamphetamine Initiative. The grantee agrees to cooperate with the monitors and evaluators.*

### ***Why This Condition:***

The Public Safety Partnership and Community Policing Act of 1994 states that evaluations of the program may be carried out or commissioned by the Attorney General for the furtherance of the purposes of the Act. The COPS Office conducts evaluations to determine what programs are working, how programs may be improved, and why certain programs are more successful than others. Specifically, the COPS Office may assess the way in which your agency implements its Methamphetamine Initiative grant. In some jurisdictions, COPS staff or evaluators may study the effectiveness of funded programs, projects, and activities. Evaluators may collect information about the programs' effect on crime, victims of crime, and the quality of life in communities. In addition, they may ask questions about the challenges encountered during project implementation, how residents feel about community policing, and how police feel about their work. This information will be useful to other communities and police agencies across the country.

### ***What You Should Do:***

When evaluations are undertaken, you may be contacted in writing with specific requests for information. In general, evaluators may need to speak with individuals in your agency or department, observe activities, and obtain written reports about and from your agency or department. You will be asked to facilitate any site visits and information-gathering activities. In addition, you will be asked to provide accurate and timely information about your grant activities. You should fully comply with any requests made regarding these evaluations.



## 9. Reports

*To assist the COPS Office in the monitoring of your award, your agency will be responsible for submitting periodic programmatic progress reports and quarterly financial reports.*

### **Why This Condition:**

The Public Safety Partnership and Community Policing Act of 1994 and other federal regulations and policies require that financial assistance provided by the federal government be monitored carefully to ensure the proper use of federal funds. In addition, the COPS Office seeks to document, on a continuing basis, the progress of our programs and grantees.

### **What You Should Do:**

This grant condition is designed to make your agency aware of reporting requirements associated with Methamphetamine Initiative grants. These reports are discussed in greater detail in Section VI, "Reports," of this manual. All reports should be submitted within the deadlines given to avoid suspension or possible termination of grant funds or other remedial actions.

## 10. Grant Monitoring Activities

*Federal law requires that law enforcement agencies receiving federal funding from the COPS Office must be monitored to ensure compliance with their grant conditions and other applicable statutory regulations. The COPS Office is also interested in tracking the progress of our programs and the advancement of community policing. Both aspects of grant implementation—compliance and programmatic benefits—are part of the monitoring process coordinated by the U.S. Department of Justice. Grant monitoring activities conducted by the COPS Office include site visits, office-based grant reviews, alleged noncompliance reviews, financial and programmatic reporting, and audit resolution. As a COPS Methamphetamine Initiative grantee, you agree to cooperate with and respond to any requests for information pertaining to your grant.*

### **Why This Condition:**

The Public Safety Partnership and Community Policing Act of 1994 states that each grant program must contain a monitoring component. The COPS Office actively monitors how grantees are adhering to COPS grant requirements and develops the best technical assistance based on this feedback.

### **What You Should Do:**

Your agency may be required to accommodate routine and non-routine efforts by the COPS Office, or an entity designated by COPS, to examine your agency's use of federal funds, both programmatically and financially. The most common ways are:

1. **Site Visits**—The COPS Office conducts grantee site visits to ensure compliance with grant terms and conditions. These visits also provide firsthand observation of the grantee's community policing strategies. Promising practices identified during site visits are documented and may be shared with the law enforcement community. Technical assistance and follow-up are conducted to address potential and actual vulnerabilities. The purpose of site visits is therefore three-fold: review community policing activities, ensure grantee compliance,



and provide service and technical assistance. If selected, you will be notified in writing in advance of any on-site review of your COPS grants. This review is generally performed over a one or more day period and also provides an opportunity for agency representatives to seek assistance on any grant implementation issues. Your agency will be notified in writing of the results and any action required to remedy identified grant violations.

2. **Office-Based Grant Reviews (OBGRs)**—Certain grants are selected for a review conducted at the COPS Office. If selected, your agency will be contacted at the start of this review and our staff will work with your agency to correct any grant problems or deficiencies through telephone, e-mail, fax and/or written correspondence with your agency.
3. **Complaints**—The COPS Office responds to complaints from citizens, labor associations, media, and other sources. Written complaints or allegations are reviewed by the COPS Office Grant Monitoring Division, and may result in a review of your agency's grants to determine compliance with grant conditions.

Grantees are responsible for remedying any grant noncompliance that is identified through these or other monitoring or auditing activities. Remedies for noncompliance may include, but are not limited to: suspending grant funding, repaying misused grant funds, voluntary withdrawal from or involuntary termination of remaining grant funds, and bars from receiving future COPS grants. To avoid findings of noncompliance, grantees are strongly encouraged to contact the COPS Office at any time during the life of a COPS grant with questions concerning grant requirements and also to maintain all relevant documentation that may demonstrate grant compliance. For more information, please contact the COPS Office Grant Monitoring Division at 800.421.6770 or at [ask.Cops@usdoj.gov](mailto:ask.Cops@usdoj.gov).

## 11. Equal Employment Opportunity Plan (EEOP)

*All recipients of funding from the COPS Office must comply with the federal regulations pertaining to the development and implementation of an Equal Employment Opportunity Plan (28 C.F.R. Part 42 subpart E).*

### **Why This Condition:**

It is the experience of the Justice Department in implementing its responsibilities under the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), the statute that established the COPS Office, that “the full and equal participation of women and minority individuals in employment opportunities in the criminal justice system is a necessary component to the Safe Streets Act’s program to reduce crime and delinquency in the United States.” 28 C.F.R. § 42.301. The Equal Employment Opportunity Plan (EEOP) does not impose quotas or hiring requirements on recipients of federal funds.

### **What You Should Do:**

The obligations to comply with the EEOP requirement differ depending on your organization’s legal status, the number of its employees, and the amount of the award.



If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization, or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification Form, which explains that your organization is eligible for this exemption, and then return the form to the **Office for Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice, 810 7th Street, N.W., Washington, DC 20531**. The Certification Form can be found at [www.ojp.usdoj.gov/about/ocr/eeop.htm](http://www.ojp.usdoj.gov/about/ocr/eeop.htm). Recipients that are exempt from the EEOP requirement are still responsible for complying with all applicable federal civil rights laws that prohibit recipients from discriminating in employment or in the delivery of services or benefits.

If your organization is a governmental agency or a business and has received a single award between \$25,000 and \$500,000 and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then your organization has to prepare an EEOP Short Form, but it does not have to submit the EEOP Short Form to the OCR for review. Instead, your organization has to maintain the EEOP Short Form on file and make it available to the OCR for review on request. For assistance in developing an EEOP Short Form, please consult OCR's website at [www.ojp.usdoj.gov/about/ocr/eeop.htm](http://www.ojp.usdoj.gov/about/ocr/eeop.htm). You may also request technical assistance from an EEOP specialist at the OCR by calling 202.616.3208. In addition, your organization has to complete Section B of the Certification Form, which explains that your organization is eligible for the exemption from the submission requirement, and your organization must return the form to the OCR at the above address. The Certification Form can be found at [www.ojp.usdoj.gov/about/ocr/eeop.htm](http://www.ojp.usdoj.gov/about/ocr/eeop.htm).

If your organization is a governmental agency or business and has received a single award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEOP Short Form and submit it for review to the OCR at the above address within 60 days of the notification of the award. For assistance in developing an EEOP Short Form, please consult OCR's website at [www.ojp.usdoj.gov/about/ocr/eeop.htm](http://www.ojp.usdoj.gov/about/ocr/eeop.htm). You may also request technical assistance from an EEOP specialist at the OCR by calling 202.616.3208.

## 12. Criminal Intelligence Systems

*Grantees using Methamphetamine Initiative funds to operate an interjurisdictional criminal intelligence system must comply with operating principles of 28 C.F.R. Part 23. The grantee acknowledges that it has completed, signed and submitted with its grant application the relevant Special Condition certifying its compliance with 28 C.F.R. Part 23.*

### **Why This Condition:**

If your agency receives funding for equipment or technology that will be used to operate an interjurisdictional criminal intelligence system, you must comply with the operating principles found at 28 C.F.R. Part 23. An "interjurisdictional criminal intelligence system" is generally defined as a system which receives, stores, analyzes, and exchanges or disseminates data regarding ongoing pre-arrest criminal activities (examples of such activities include, but are not limited to, loan sharking, drug or stolen property trafficking, gambling, extortion, smuggling, bribery, and public



corruption) and shares this data with other law enforcement jurisdictions. 28 C.F.R. Part 23 contains operating principles for these interjurisdictional criminal information systems which protect individual privacy and constitutional rights.

If your agency will use Methamphetamine Initiative grant funds simply to operate a single agency database (or other unrelated forms of technology) and will not share criminal intelligence data with other jurisdictions, 28 C.F.R. Part 23 does not apply to this grant.

#### ***What You Should Do:***

All Methamphetamine Initiative recipients were required to agree to the Criminal Intelligence Systems/28 C.F.R. Part 23 Compliance Special Condition as part of their application proposal so the COPS Office can track which agencies intend to use their grant funds to operate interjurisdictional criminal intelligence systems. If your agency intends to use grant funds to operate an interjurisdictional criminal intelligence system, you should have indicated this in your application and certified your agency's agreement to comply with the operating principles found at 28 C.F.R. Part 23. Your agency now must comply with 28 C.F.R. Part 23 in operating the interjurisdictional criminal intelligence system funded through your Methamphetamine Initiative grant.

### **13. Sole Source Justification**

*Grantees who have been awarded funding for the procurement of an item (or group of items) or service in excess of \$100,000 and who plan to seek approval for use of a noncompetitive procurement process must provide a written sole source justification to the COPS Office for approval prior to obligating, expending, or drawing down grant funds for that item.*

#### ***Why This Condition:***

In general, grant recipients are required to procure funded items through open and free competition. However, in some instances, grantees may have already determined that competition is not feasible.

#### ***What You Should Do:***

If you have received an award for an item (or group of items) or service in excess of \$100,000 and have already determined that the award of a contract through a competitive process is infeasible, you must provide a written justification that explains why it is necessary to contract noncompetitively.

The initial determination that competition is not feasible can be made if one of the following circumstances exists:

1. The item (or group of items) or service is available only from a single source;
2. Public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; or
3. Competition is determined inadequate after solicitation of a number of sources.



The COPS Office will review your request and the supporting information that you provide and will make a determination as to whether or not an exception can be granted to the general rule regarding competition. If submitting a sole source justification request to the COPS Office, please use the format described in Section II, "Procurement Process."

## 14. Public Release Information

*The grantee agrees to submit one copy of all reports and proposed publications resulting from this grant 20 days prior to public release. Any publications (including written, software, visual, or sound, but excluding press releases, newsletters, and issue analyses), whether published at the recipient's or government's expense, shall contain the following statement: "This project was supported by Grant # \_\_\_\_\_ awarded by the U.S. Department of Justice, Office of Community Oriented Policing Services. The opinions contained herein are those of the author(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific companies, products, or services should not be considered an endorsement by the author(s) or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues."*

### ***Why This Condition:***

The COPS Office wants to ensure the quality, objectivity, utility and integrity of information in funded projects that are disseminated to the public. However, grant-funded reports and publications are not official federal documents and should not be construed to reflect the official policy or position of the U.S. Department of Justice.

In addition, the COPS Office reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish, or otherwise use and to authorize others to use, for federal government purposes, the following: (1) the copyright in any work developed under the Methamphetamine Initiative grant, subgrant or contract, and (2) any copyright to which a grant recipient, subgrantee, or a contractor purchases ownership with support from the Methamphetamine Initiative.

### ***What You Should Do:***

Ensure that all publications (where applicable) relating to your COPS Methamphetamine Initiative grant contain the required statement listed above.

In addition, ensure that your agency acquires rights for copyrighted material for inclusion in Department of Justice publications that are compiled, written or prepared under the award, including the payment of required fees. Any copyright holders should be notified that the federal government reserves a royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use the publication for federal government purposes. Additionally, any publication and distribution agreements with a publisher shall include provisions giving the federal government a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use and to authorize others to use the publication for federal government purposes. The agreements with a publisher should contain information on the awarding agency requirements.

If you have any specific questions regarding when this statement must be included, please contact the COPS External Affairs Division at 800.421.6770.



## 15. Employment Eligibility

*The grantee agrees to complete and keep on file, as appropriate, a Bureau of Citizenship and Immigration Services Employment Eligibility Verification Form (I-9). This form is to be used by recipients of federal funds to verify that persons are eligible to work in the United States.*

### **Why This Condition:**

Under federal immigration law, all employers are required to take certain steps to ensure that persons that are hired are legally permitted to work in the United States. The Bureau of Citizenship and Immigration Services Employment Eligibility Verification Form (I-9) outlines the types of documents that an employer should review to confirm that a new hire is eligible for employment.

### **What You Should Do:**

You do not need to submit any documentation to the COPS Office to satisfy this condition. Rather, you should complete and maintain the I-9 forms for all new employees under the guidelines set forth by the Bureau of Citizenship and Immigration Services. For further information about this requirement, you may contact the Bureau's Office of Business Liaison at 800.357.2099 or the National Customer Service Center at 800.375.5283.

## 16. EPIC Reporting

*The grantee agrees to complete and submit to the El Paso Intelligence Center (EPIC) a Form 143 for each clandestine methamphetamine laboratory that is seized and closed during the grant period.*

### **Why This Condition:**

This condition advises grantees of the requirement to submit an EPIC Form 143 for each clandestine methamphetamine laboratory that is seized and closed. The data compiled from the submitted EPIC forms may be used to determine the number, types, and locations of seized laboratories, as well as sources of chemicals and precursors, and may be used in allocating future resources.

### **What You Should Do:**

Complete and submit to the El Paso Intelligence Center an EPIC Form 143 for each clandestine methamphetamine laboratory that is seized and closed by your agency during the grant period.

## 17. National Environmental Policy Act

*The grantee agrees to comply with 28 C.F.R. Part 61 (Procedures for Implementing the National Environmental Policy Act).*

### **Why This Condition:**

The National Environmental Policy Act (NEPA) establishes a national goal of protecting the environment. NEPA's requirements apply to federal projects, decisions, or actions, including grants in aid, that might have a significant impact on the quality of the human environment. Renovation and construction initiated by state or local law enforcement agencies with COPS grant funding are subject to NEPA. These projects are usually subject to related environmental impact review and consultation





provisions within the following environmental statutes and executive orders: Coastal Zone Management Act; Coastal Barrier Resources Act; Clean Air Act; Safe Drinking Water Act; Federal Water Pollution Control Act; Endangered Species Act; Wild and Scenic Rivers Act; National Historic Preservation Act; Farmland Protection Policy Act; and Executive Orders related to the protection of wetlands, flood plain management, and environmental justice.

***What You Should Do:***

Please note that construction and renovation costs are unallowable under the Methamphetamine Initiative, and grant funds cannot be awarded and/or expended for a project that has the potential of impacting the environment. To minimize harm to the environment, the COPS Office may encourage grantees to modify their projects to minimize adverse environmental impacts. If your agency needs guidance, you may contact the COPS Legal Division at 202.514.3750 for further assistance.

## **18. Hazardous Chemical Waste**

*Grantees receiving funding under this grant program acknowledge that as the entity performing activities associated with the investigation and clean-up of clandestine methamphetamine laboratories, the grantee, not the COPS Office, is the generator of hazardous chemical wastes for the purposes of this project.*

***Why This Condition:***

The generator of hazardous chemical waste is responsible for assuring proper waste management and compliance with applicable laws and regulations. In order to ensure protection of human health and the environment in implementing a COPS Methamphetamine Initiative grant, applicants must agree to the proper training of law enforcement personnel, the use of qualified contractors and/or local personnel for the clean-up and disposal of hazardous waste, and the adherence to federal, state, and local regulatory requirements for the clean-up of hazardous chemical waste, including the transport and storage of such waste.

***What You Should Do:***

When you submitted your Methamphetamine Initiative grant application, you submitted project certification information and agreed to comply with all federal, state, and local laws and regulations regarding the investigation, clean-up, storage, transport, and disposal of hazardous chemical wastes, including Occupational Safety and Health Administration (OSHA), Environmental Protection Agency (EPA), and U.S. Department of Transportation requirements and regulations. This condition re-states your agency's acknowledgement that under this program, your agency, not the COPS Office, is the generator of hazardous chemical waste and will comply with the applicable grant certifications.





## 19. False Statements

*False statements or claims made in connection with COPS grants may result in fines, imprisonment, or debarment from participating in federal grants or contracts, and/or any other remedy available by law.*

### **Why This Condition:**

This condition advises recipients of the consequences of submitting false claims or statements on applications, financial and programmatic reports, or other grant documents.

### **What You Should Do:**

Ensure that all documentation related to your agency's receipt and use of grant funding (grant applications, progress reports, Federal Financial Reports, etc.) is true and accurate.

## 20. Additional High-Risk Grantee Requirements

*The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the awarding agency determines that the recipient is a high-risk grantee (28 C.F.R. Parts 66 and 70).*

### **Why This Condition:**

The Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 28 C.F.R. 66.12, and for Institutions of Higher Education, Hospitals and Other Non-Profit Organizations, 28 C.F.R. 70.14, provide that a grantee or applicant may be considered "high risk" if the Department of Justice determines that there is unsatisfactory performance, financial or administrative instability, nonconformity with award terms and conditions, or other lack of responsibility. In such cases, the Department of Justice may impose special conditions or restrictions that may include requiring the production of documentation, financial grant administration training, on-site monitoring, prior approval for expenditure of funds, quarterly progress reports, separate bank accounts, or other requirements.

### **What You Should Do:**

In order to obtain a COPS grant, recipients must agree to comply with any additional requirements that may be imposed during the grant performance period if the awarding agency determines that the recipient is a high-risk grantee.



## What are the specific rules regarding termination of grant funding?

The COPS Office has the right to sanction or terminate your agency's project when there is reason to believe that your agency:

- Is not substantially complying with the grant requirements or other applicable provisions of federal law;
- Is failing to make satisfactory progress toward the goals or strategies outlined in its application;
- Is not adhering to grant requirements or conditions;
- Is proposing substantial plan changes to the extent that, if originally submitted, would have resulted in the application being denied funding;
- Is not submitting financial or programmatic reports in a timely manner;
- Is filing false statements or certifications in connection with an application, periodic report, or other grant-related documents; and/or
- Is providing other good cause for sanctions or termination as determined by the COPS Office.

In these instances, the COPS Office may:

- Temporarily withhold payments pending correction of the situation by your agency;
- Disallow all or part of the cost of the activity or action not in compliance;
- Wholly or partly suspend or terminate your grant;
- Require that some or all of the grant funds be remitted to the U.S. Department of Justice;
- Condition a future grant or elect not to provide future grant funds to your agency until appropriate actions are taken to ensure compliance;
- Withhold or bar your agency from obtaining future awards;
- Recommend civil or criminal enforcement by other agencies; and/or
- Take other remedies that may be legally available.

In the event that sanctions are imposed or your grant is terminated, your agency will be notified in writing of our decision and the reason(s) for that decision.

## Accepting the Grant Award

After you have reviewed the conditions of your Methamphetamine Initiative award and your agency agrees with these conditions, you are ready to accept the award. The Director of the COPS Office has signed the Award Document indicating approval of your grant, an obligation of federal funds to your organization, and our commitment to the award. As stated at the beginning of this section, to officially begin your grant and draw down your funds, the **authorized officials** (see Section IX, "Glossary of Terms") must sign the Award Document and return the **original** document to:

**U.S. Department of Justice  
Office of Community Oriented Policing Services (COPS)  
Attention: Sponsored Branch Control Desk  
1100 Vermont Avenue, N.W., 9th Floor  
Washington, DC 20530**

(For overnight delivery, please use 20005 as the ZIP Code.)



Since COPS is required to maintain the original Award Document with original signatures in our files, faxed or altered copies of the Award Document cannot be accepted.

### **Who should sign the Award Document for our agency?**

The “authorized officials” are the law enforcement and government executives who have ultimate and final responsibility for all programmatic and financial decisions regarding this grant as representatives of the legal grantee. COPS grants require that both the top law enforcement executive (e.g., Chief of Police, Sheriff, or equivalent) and the top government executive (e.g., Mayor, Board Chairman, or equivalent) sign the Award Document. For non-law enforcement agencies (universities, private organizations, etc.), the authorized officials are the programmatic and financial officials who have the ultimate signatory authority to sign contracts on behalf of your organization. Typically, these are the same executives who signed the forms located in your Methamphetamine Initiative application package (if one or both of these individuals have changed, please complete a Change of Information form online at [www.cops.usdoj.gov](http://www.cops.usdoj.gov) through the Account Access option). If you have any questions as to who should sign the award, please contact your jurisdiction’s local legal advisor.

### **When must the Award Document be returned?**

Please return the original signed Award Document within 90 days of the date on the award congratulatory letter. Grant funds will not be released until we have received your agency’s original signed Award Document, your budget has received final clearance, and any other relevant grant conditions particular to your agency have been satisfied. Failure to submit your signed Award Document within the 90-day award acceptance period may result in your Methamphetamine Initiative award being withdrawn and the funds deobligated without additional notification. If your agency requires an extension for accepting the award beyond the 90-day acceptance timeframe, please submit a written request to your COPS Grant Program Specialist. Be sure to explain the circumstances that prevent your agency from returning the Award Document within the 90-day period, and identify the date by which the Award Document will be signed and mailed to the COPS Office. The COPS Office will review such requests on a case-by-case basis. The COPS Office reserves the right to deny requests to extend the 90-day award acceptance period.

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## II. Procurement Process







## Contact COPS

If you have any questions regarding the federal requirements that guide procurement procedures, please contact your COPS Grant Program Specialist or program point of contact.

For more information about COPS Office programs and resources, please call the COPS Office Response Center at 800.421.6770, or visit COPS Online at [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

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## III. Accessing Grant Funds







## Additional Payment Questions

### Can we receive advances?

Yes. If you receive funds through electronic transfer, the period allowed is ten (10) days in advance. In general, the concept of “minimum cash on hand” applies to COPS grants. This concept requires that your agency request funds based upon immediate cash disbursement needs. You should time your request for payment to ensure that federal cash on hand is the minimum that you need.

There should be no excess federal grant funds on hand, except for advances not exceeding ten days, as noted above.

The federal government has four basic rules regarding advances. Advances can be terminated if the grantee:

- Is unwilling or unable to attain project goals;
- Maintains excess cash on hand;
- Does not adhere to the terms and conditions of the grant; or
- Fails to submit reliable and/or timely reports.

### How often do we request reimbursement of costs?

There are no limitations on how often your agency may request reimbursements. However, reimbursement is only for costs that were approved in the Financial Clearance Memorandum. As a general guideline, most agencies request reimbursement on a monthly or quarterly basis. Also, please note that a date range can only be used once.

### Can we earn interest on our grant funds?

Your agency should minimize the time between your drawdown of grant funds and your payment of grant costs to avoid earning excess interest on your grant funds. You must account for interest earned on advances of federal funds as follows:

- Local units of government may keep interest earned on all advances of federal funds up to \$100 per federal fiscal year in the aggregate. Interest earned in excess of \$100 must be remitted promptly, but at least quarterly, to the U.S. Department of Health and Human Services, Payment Management Systems, P.O. Box 6021, Rockville, MD 20852.
- Except as provided in 28 C.F.R. 70.22(l), nonprofit organizations may keep interest earned on all advances of federal funds up to \$250 per federal fiscal year in the aggregate. Interest earned in excess of \$250 must be remitted annually to the U.S. Department of Health and Human Services, Payment Management Systems, P.O. Box 6021, Rockville, MD 20852.
- State governments, including any agency or instrumentality of a state, should follow the provisions of the Intergovernmental Cooperation Act (31 U.S.C. 6501 et. seq.) pertaining to the disposition of interest earned on federal funds.



## **Matching Funds**

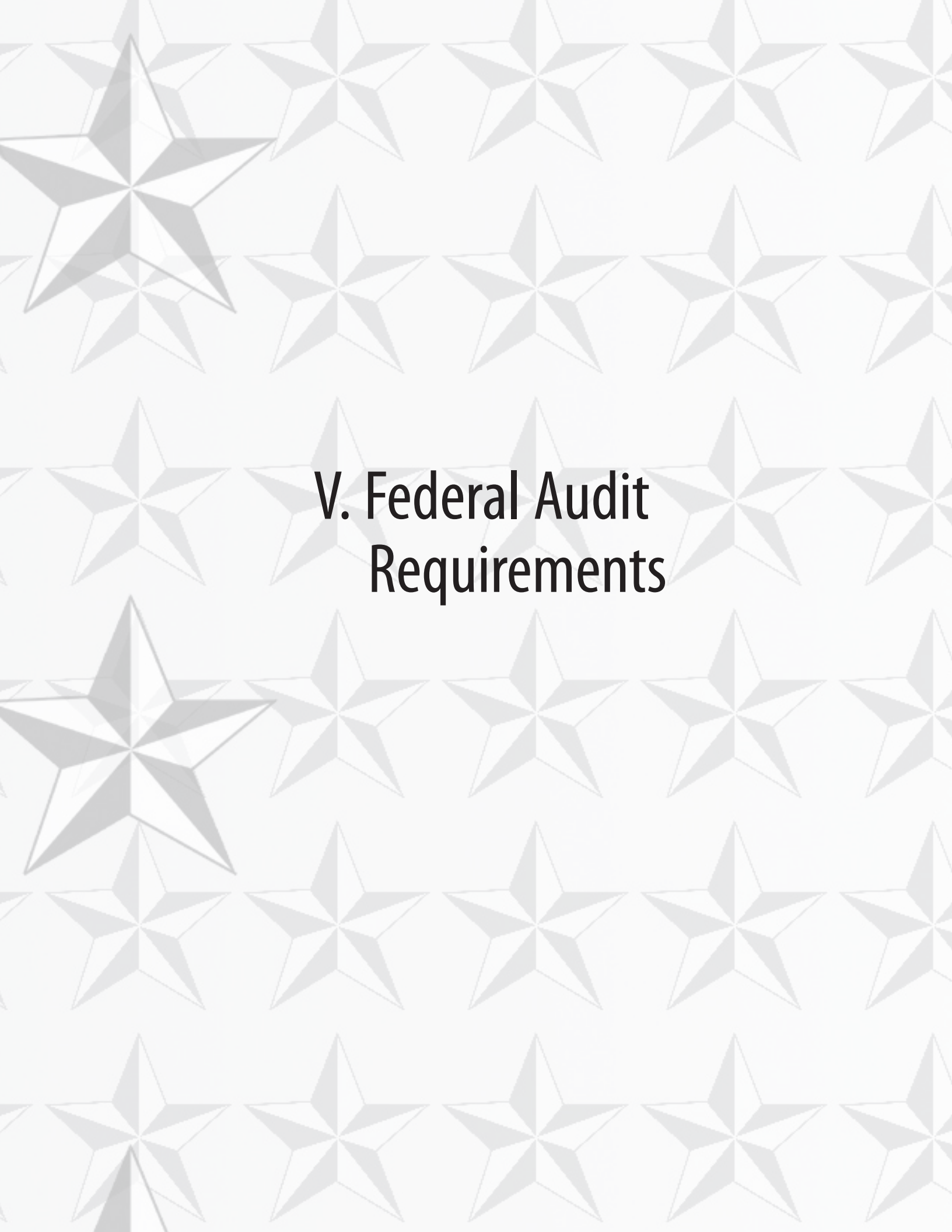
Under the COPS Methamphetamine Initiative, no local match is required. The COPS Office is funding 100 percent of the allowable items approved in your Financial Clearance Memorandum. Any agency desiring to contribute additional funds to this project is encouraged to do so.



## **IV. Financial Record Maintenance**





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## **V. Federal Audit Requirements**









- **Questioned costs** – Costs that are questioned by the auditor because of an audit finding which resulted from a violation or possible violation of a provision of law, regulation, grant terms and conditions, or other document governing the use of federal funds; or because costs incurred appear unreasonable and do not reflect the actions a prudent person would take under the same circumstances; or because costs at the time of the audit are not supported by adequate documentation.

After the final OIG audit report has been issued, the COPS Audit Liaison Division will continue working as the liaison between your agency and the OIG to obtain closure on any audit findings. COPS will issue a closure letter once all audit recommendations have been closed by the OIG. You must keep all documentation related to the audit for a period of three years following the audit's closure.

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## VI. Reports





## Contact Points to Obtain Technical Assistance and Report Violations

Any alleged violations, serious irregularities, or acts that may result in the use of public funds in a manner inconsistent with the Public Safety Partnership and Community Policing Act of 1994 or the purposes of this grant may be reported to the U.S. Department of Justice. Furthermore, the COPS Office welcomes the opportunity to provide assistance regarding the implementation of grant provisions to help ensure that federal grant funds are spent responsibly. As such, the following contacts are provided to address noncompliance and technical assistance issues:

- If you suspect violations of a criminal nature, please contact the U.S. Department of Justice, Office of the Inspector General (OIG) at [OIG.hotline@usdoj.gov](mailto:OIG.hotline@usdoj.gov), [www.usdoj.gov/oig/FOIA/hotline.htm](http://www.usdoj.gov/oig/FOIA/hotline.htm), or 800.869.4499.
- If you suspect grant violations (*not* criminal in nature) related to the grant conditions listed in this manual, please contact the COPS Grant Monitoring Division at 202.514.9202.
- If you have any questions and/or need assistance regarding your grant, please contact your COPS Grant Program Specialist at 800.421.6770.

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## VII. When the Grant Period Has Ended







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## VIII. Conclusion



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## IX. Glossary of Terms







### **Employer Identification Number (EIN) / OJP Vendor Number**

This number is usually your agency's nine-digit federal tax identification number as assigned to you by the Internal Revenue Service (IRS). Your accounting/bookkeeping department should have this number. In some cases, the EIN has been previously assigned to another agency within your jurisdiction. In this instance, a new vendor number will be assigned to you by the Office of the Chief Financial Officer. The newly assigned number is to be used for COPS administrative purposes only and should not be used for IRS purposes.

### **EPIC (El Paso Intelligence Center) National Clandestine Laboratory Seizure Database**

The U.S. Department of Justice maintains this database to track seizure of clandestine drug laboratories. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites.

For more information, please visit [www.usdoj.gov/dea/programs/epic.htm](http://www.usdoj.gov/dea/programs/epic.htm) or [www.usdoj.gov/dea/seizures/index.html](http://www.usdoj.gov/dea/seizures/index.html).

### **Federally Recognized Tribe**

Tribal entities that are recognized and eligible for funding and services from the Bureau of Indian Affairs by virtue of their status as Indian tribes. They are acknowledged to have the immunities and privileges available to other federally recognized Indian tribes by virtue of their government-to-government relationship with the United States as well as the responsibilities, power, limitation, and obligations of such tribes. Only federally recognized tribes are eligible to apply for COPS tribal grant funds. For further information, contact: Bureau of Indian Affairs, Division of Tribal Government Services, MS-4631 - MIB, 1849 C Street, N.W., Washington, DC 20240, 202.208.2475.

### **Gas Mask**

A gas mask is connected to a chemical air filter and is used to protect the face and lungs from toxic gases.

### **Global Positioning System (GPS)**

Global Positioning Systems are a series of 24 geosynchronous satellites that continuously transmit their position. Each system is used in personal tracking, navigation, and automatic vehicle location technologies.

### **Grant Monitoring Specialist**

COPS Grant Monitoring Specialists are trained and available to assist you in addressing any compliance-related questions regarding your grant. Grant Monitoring Specialists plan and conduct site visits and office-based grant reviews. During the life of your grant, you may be selected for a monitoring site visit to assess your compliance with the terms and agreements of the grant program, to review your community policing initiatives, and to provide technical and administrative support for your grant award. Please contact the COPS Office Response Center at 800.421.6770 if you have any compliance-related questions.

### **Grant Number**

The grant number identifies your agency's specific Methamphetamine Initiative grant, and can be found on your grant Award Document. This number should be used as a reference when corresponding with the COPS Office. Your grant number is in the following format: 2010-CKWX-0000 for grants awarded in FY 2010. The COPS Office tracks grant information based upon this number.



### **Grant Program Specialist**

COPS Grant Program Specialists are trained to assist you with implementing and maintaining your Methamphetamine Initiative grant. A Grant Program Specialist is assigned to your state, and is available to answer any questions that you may have concerning the administrative aspects of your grant. Your Grant Program Specialist can assist you with such matters as requesting an extension on your grant or modifying the grant award. To obtain the name and phone number of your Grant Program Specialist, please contact the COPS Office Response Center at 800.421.6770.

### **Local Budget Cycle**

Your agency's fiscal year. Some common examples include January 1 to December 31, October 1 to September 30, and July 1 to June 30. Some local budget cycles may extend up to 24 months.

### **Mobile Data Computer/Laptop**

A Mobile Data Computer (MDC) is a computer terminal mounted in a vehicle that is linked via wireless communication to a network that is often integrated with a CAD system. MDCs enable officers to complete previously handwritten reports on a computer. This often eliminates the need to enter duplicate information on multiple reports.

### **National Incident-Based Reporting System (NIBRS)**

A comprehensive reporting database. Agencies provide individual records for eight index crimes and 38 other offenses.

### **Obligation of Funds**

The COPS Office obligates federal funds when the grant Award Document is signed by the COPS Director or his/her designated official. For the grantee, grant funds are obligated when monies are spent or orders are placed for purchasing approved technology or services under your Methamphetamine Initiative grant. The term "encumbrance" is often used at the local and state levels to describe this type of transaction. Liquidated obligations are considered cash outlays or monies actually spent. Unliquidated obligations are obligations incurred and recorded but not yet paid (accrual basis of accounting) or not yet recorded and not yet paid (cash basis of accounting).

### **Originating Agency Identifier (ORI) Number**

This number is assigned by the FBI, and it is your agency's unique identifier. The first two letters are your state abbreviation, the next three numbers are your county's code, and the final two numbers identify your jurisdiction within your county. If your agency does not have an ORI number assigned by the FBI, the COPS Office assigns a non-official ORI code to use as an agency identifier (in such cases, the last two digits will be "ZZ"). It can be found on your grant Award Document. When you contact the COPS Office with a question, please reference your ORI number (and/or your grant number).

### **Primary Law Enforcement Authority**

An agency with primary law enforcement authority is the agency that is the first responder to calls for service, and has ultimate and final responsibility for the prevention, detection, and/or investigation of violations of criminal laws within its jurisdiction.



### **The Public Safety Partnership and Community Policing Act of 1994**

The COPS Office is charged with fulfilling the mandates of this law. The purposes of the law are to:

- Increase the number of community policing officers on the beat
- Provide additional and more effective training to law enforcement officers to enhance their problem-solving, service, and other skills needed in interacting with members of the community
- Encourage the development and implementation of innovative programs to permit members of the community to assist law enforcement agencies in the prevention of crime
- Encourage the development of new technologies to assist law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime.

### **Supplanting**

For the purposes of your COPS Methamphetamine Initiative grant, supplanting means replacing state, local, or Bureau of Indian Affairs funds which otherwise would have been spent on law enforcement purposes with federal COPS funds. State, local, and tribal governments are prohibited from supplanting throughout the grant period. This means that your agency may not use COPS funds to pay for any equipment/technology, services, personnel, or other items which, in the absence of the COPS program, would otherwise have been funded with state and/or local funds, or funds supplied by the Bureau of Indian Affairs. COPS funds must instead be used to supplement, or increase, your law enforcement budget. For additional information on supplanting, please review Grant Condition #5 in this manual.

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## X. Appendixes







## Appendix B – Assurances and Certifications

### Assurances

Several provisions of federal law and policy apply to all grant programs. The Office of Community Oriented Policing Services needs to secure your assurance that the applicant will comply with these provisions. If you would like further information about any of these assurances, please contact your state's COPS Grant Program Specialist at 800.421.6770.

By the applicant's authorized representative's signature, the applicant assures that it will comply with all legal and administrative requirements that govern the applicant for acceptance and use of federal grant funds. In particular, the applicant assures us that:

1. It has been legally and officially authorized by the appropriate governing body (for example, mayor or city council) to apply for this grant and that the persons signing the application and these assurances on its behalf are authorized to do so and to act on its behalf with respect to any issues that may arise during processing of this application.
2. It will comply with the provisions of federal law, which limit certain political activities of grantee employees whose principal employment is in connection with an activity financed in whole or in part with this grant. These restrictions are set forth in 5 U.S.C. § 1501, et seq.
3. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, if applicable.
4. It will establish safeguards, if it has not done so already, to prohibit employees from using their positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.
5. It will give the Department of Justice or the Comptroller General access to and the right to examine records and documents related to the grant.
6. It will comply with all requirements imposed by the Department of Justice as a condition or administrative requirement of the grant, including but not limited to: the requirements of 28 CFR Part 66 and 28 CFR Part 70 (governing administrative requirements for grants and cooperative agreements); 2 CFR Part 225 (OMB Circular A-87), 2 CFR 220 (OMB Circular A-21), 2 CFR Part 230 (OMB Circular A-122) and 48 CFR Part 31.000, et seq. (FAR 31) (governing cost principles); OMB Circular A-133 (governing audits) and other applicable OMB circulars; the applicable provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; 28 CFR Part 38.1; the current edition of the COPS Grant Monitoring Standards and Guidelines; the applicable COPS Grant Owner's Manuals; and with all other applicable program requirements, laws, orders, regulations, or circulars.
7. If applicable, it will, to the extent practicable and consistent with applicable law, seek, recruit and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions in the agency.
8. It will not, on the ground of race, color, religion, national origin, gender, disability or age, unlawfully exclude any person from participation in, deny the benefits of or employment to any person, or subject any person to discrimination in connection with any programs or activities funded in whole or in part with federal funds. These civil rights requirements are found in the non-discrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. § 3789d); Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794); Title II, Subtitle A of the Americans with Disabilities Act (ADA) (42 U.S.C. § 12101, et seq.); the Age Discrimination Act of 1975 (42 U.S.C. § 6101, et seq.); and Department of Justice Non-Discrimination Regulations contained in Title 28, Parts 35 and 42 (subparts C, D, E, G and I) of the Code of Federal Regulations.
- A. In the event that any court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability or age against the applicant after a due process hearing, it agrees to forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, D.C. 20531.
- B. If your organization has received an award for \$500,000 or more and has 50 or more employees, then it has to prepare an Equal Employment Opportunity Plan (EEOP) and submit it to the Office for Civil Rights ("OCR"), Office of Justice Programs, 810 7th Street, N.W., Washington, DC 20531, for review within 60 days of the notification of the award. If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEOP, but it does not have to submit the EEOP to OCR for review. Instead, your organization has to maintain the EEOP on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification Form and return it to OCR.
9. Pursuant to Department of Justice guidelines (June 18, 2002 Federal Register (Volume 67, Number 117, pages 41455-41472)), under Title VI of the Civil Rights Act of 1964, it will ensure meaningful access to its programs and activities by persons with limited English proficiency.
10. It will ensure that any facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify us if advised by the EPA that a facility to be used in this grant is under consideration for such listing by the EPA.

11. If the applicant's state has established a review and comment procedure under Executive Order 12372 and has selected this program for review, it has made this application available for review by the state Single Point of Contact.
12. It will submit all surveys, interview protocols, and other information collections to the COPS Office for submission to the Office of Management and Budget for clearance under the Paperwork Reduction Act of 1995 if required.
13. It will comply with the Human Subjects Research Risk Protections requirements of 28 CFR Part 46 if any part of the funded project contains non-exempt research or statistical activities which involve human subjects and also with 28 CFR Part 22, requiring the safeguarding of individually identifiable information collected from research participants.
14. Pursuant to Executive Order 13043, it will enforce on-the-job seat belt policies and programs for employees when operating agency-owned, rented or personally-owned vehicles.
15. It will not use COPS funds to supplant (replace) state, local, or Bureau of Indian Affairs funds that otherwise would be made available for the purposes of this grant, as applicable.
16. If the awarded grant contains a retention requirement, it will retain the increased officer staffing level and/or the increased officer redeployment level, as applicable, with state or local funds for a minimum of 12 months following expiration of the grant period.
17. It will not use any federal funding directly or indirectly to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law ratification, policy or appropriation whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy or appropriation as set forth in the Anti- Lobby Act, 18 U.S.C. 1913.
18. In the event that a portion of grant reimbursements are seized to pay off delinquent federal debts through the Treasury Offset Program or other debt collection process, it agrees to increase the non-federal share (or, if the awarded grant does not contain a cost sharing requirement, contribute a non-federal share) equal to the amount seized in order to fully implement the grant project.

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

Signature of Law Enforcement Executive/Agency Executive

Date

Signature of Government Executive/Financial Official

Date





## Certifications

### Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Coordination with Affected Agencies.

Although the Department of Justice has made every effort to simplify the application process, other provisions of federal law require us to seek your agency's certification regarding certain matters. Applicants should read the regulations cited below and the instructions for certification included in the regulations to understand the requirements and whether they apply to a particular applicant. Signing this form complies with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2867, "Nonprocurement Debarment and Suspension" 28 CFR Part 83 Government-Wide Requirements for Drug-Free Workplace (Grants)," and the coordination requirements of the Public Safety Partnership and Community Policing Act of 1994. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered grant.

#### 1. Lobbying

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

- A. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the making of any federal grant; the entering into of any cooperative agreement; and the extension, continuation, renewal, amendment or modification of any federal grant or cooperative agreement;
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions; and
- C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

#### 2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Part 2867.20(a)-

A. The applicant certifies that it and its principals:

- (i) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;
- (ii) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) or private agreement or transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion or receiving stolen property, making false claims, or obstruction of justice, or commission of

any offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;

- (iii) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (A) (ii) of this certification; and
- (iv) Have not within a three-year period preceding this application had one or more public transactions (federal, state or local) terminated for cause or default.

B. Where the applicant is unable to certify to any of the statements in this Certifications form, he or she shall attach an explanation to this application regarding the particular statement that cannot be certified. Please check here ☐ if an explanation is attached to this application. Please note that the applicant is still required to sign the Certifications form to certify to all the other applicable statements.

- 3. If applicable, an applicant who receives an award in excess of \$5,000,000 certifies that, to the best of its knowledge and belief, the applicant has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

#### 4. Drug-Free Workplace (Grantees Other Than Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, for grantees/recipients, as defined at 28 CFR Part 83.660 -

A. The applicant certifies that it will, or will continue to, provide a drug-free workplace by:

- (i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (ii) Establishing an on-going drug-free awareness program to inform employees about -
  - (a) The dangers of drug abuse in the workplace;
  - (b) The grantee's policy of maintaining a drug-free workplace;





- (c) Any available drug counseling, rehabilitation and employee assistance programs; and
- (d) The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace;
- (iii) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (i);
- (iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will -
  - (a) Abide by the terms of the statement; and
  - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (v) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: COPS Office, 1100 Vermont Ave., NW, Washington, D.C. 20530. Notice shall include the identification number(s) of each affected grant;
- (vi) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (iv)(b), with respect to any employee who is so convicted -
  - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

- (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency;

- (vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i), (ii), (iii), (iv), (v), and (vi).

**Grantee Agency Name and Address:**

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of performance (street address, city, county, state, zip code)



Check ☐ if there are workplaces on file that are not identified here.

**5. Coordination**

The Public Safety Partnership and Community Policing Act of 1994 requires applicants to certify that there has been appropriate coordination with all agencies that may be affected by the applicant's grant proposal if approved. Affected agencies may include, among others, the Office of the United States Attorney, state or local prosecutors, or correctional agencies. The applicant certifies that there has been appropriate coordination with all affected agencies.

**Grantee Agency Name and Address:**



**Grantee IRS/ Vendor Number:**

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

Typed Name and Title of Law Enforcement Executive/Agency Executive

Date



Signature: \_\_\_\_\_

Typed Name and Title of Government Executive/Financial Official

Date



Signature: \_\_\_\_\_



U.S. Department of Justice  
Office of Community Oriented Policing Services  
1100 Vermont Avenue, N.W.  
Washington, DC 20530

To obtain details on COPS programs, call the  
COPS Office Response Center at 800.421.6770

Visit COPS Online at [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

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